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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,485	07/23/2003	Michael B. Paulkovich	034856-0101	7816

22428 7590 08/04/2005

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EXAMINER

NGUYEN, DINH Q

ART UNIT PAPER NUMBER

3752

DATE MAILED: 08/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/624,485	PAULKOVICH, MICHAEL B.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Dinh Q. Nguyen	3752	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 14-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-43 is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The indicated allowability of claims 13 is withdrawn in view of the newly discovered reference(s) to Wehrle et al. Rejections based on the newly cited reference(s) follow.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8, 10-12, 14-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Enk in view of Wehrle et al. (U.S. Patent No. 5,486,811).

Enk discloses a fire suppression system 10 for detecting and suppressing fires in a protected space comprising: a plurality of reservoirs 28-30 for containing a fire retardant, a piping network with flow paths 21, 18, 21, 35, 36, a plurality of sprinklers 14, 15, 33, 34, at least one valve 25 for selectively open particular zone that is on fire, at least one fire detector 52/61 (temperature sensor), at least one damage sensor 52/61 (optical), a signal means 43/44, a control station to control at least one valve (see figure 4), a control station with system status monitor displays 43-46, 59, a halon fire extinguishant (see column 2, lines 34-41), a mean for audible annunciation such as the airplane telecom system. Enk does not disclose a sensor data profile evaluator. However, Wehrle et al discloses a sensor data profile evaluator 130 (see figure 1). Therefore, it would have been obvious to one having ordinary skill in the art to have

provided the device of Enk with a sensor data profile evaluator as suggested by Wehrle et al. Doing so would provide an effective fire fighting system (see column 3, lines 5+).

4. Claims 1, 5-10, 12-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uetake et al. in view of Matsuoka and Wehrle et al. (U.S. Patent No. 5,486,811).

Uetake et al. in view of Matsuoka teach all the limitations of the claims except for a sensor data profile evaluator. However, Wehrle et al discloses a sensor data profile evaluator 130 (see figure 1). Therefore, it would have been obvious to one having ordinary skill in the art to have provided the device of Uetake et al. and Matsuoka with a sensor data profile evaluator as suggested by Wehrle et al. Doing so would provide an effective fire fighting system (see column 3, lines 5+).

With respect to claim 7, to have a plurality of control stations is just a matter of design choice and is obvious to one skilled in the art.

***Allowable Subject Matter***

5. Claims 17-43 are allowed.

***Response to Arguments***

6. Applicant's arguments filed 5/26/05 have been fully considered but they are not persuasive.

7. Applicant's arguments with respect to claims 1-12, 14-16 have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dinh Q. Nguyen whose telephone number is 571-272-4907. The examiner can normally be reached on Monday-Thursday 6:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Scherbel can be reached on 571-272-4919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Dinh Q. Nguyen  
Primary Examiner  
Art Unit 3752

dqn